

Customs Bulletin

Regulations, Rulings, Decisions, and Notices
concerning Customs and related matters



and Decisions

of the United States Court of Appeals for
the Federal Circuit and the United
States Court of International Trade

Vol. 24

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No. 19

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U.S. Customs Service

T.D. 90-33 Through 90-36

C.S.D. 90-54

General Notice

Proposed Rulemaking

THE DEPARTMENT OF THE TREASURY

U.S. Customs Service

NOTICE

The decisions, rulings, notices, and abstracts which are published in the CUSTOMS BULLETIN are subject to correction for typographical or other printing errors. Users may notify the U.S. Customs Service, Office of Logistics Management, Printing and Distribution Branch, Washington, D.C. 20229, of any such errors in order that corrections may be made before the bound volumes are published.

U.S. Customs Service

Treasury Decisions

(T.D. 90-33)

FOREIGN CURRENCIES

QUARTERLY RATES OF EXCHANGE: APRIL 1 THROUGH JUNE 30, 1990

The table below lists rates of exchange, in United States dollars for certain foreign currencies, which are based upon rates certified to the Secretary of the Treasury by the Federal Reserve of New York under provisions of 31 U.S.C. 5151, for the information and use of Customs officers and others concerned pursuant to Part 159, Subpart C, Customs Regulations (19 CFR 159, Subpart C).

Country	Name of currency	U.S. dollars
Australia	Dollar	\$0.756100
Austria	Schilling	0.083893
Belgium	Franc	0.028353
Brazil	Cruzado	N/A
Canada	Dollar	0.855066
China, P.R.	Renimbi yuan	0.211242
Denmark	Krone	0.153480
Finland	Markka	0.248077
France	Franc	0.174581
Germany	Deutsche mark	0.586854
Hong Kong	Dollar	0.128139
India	Rupee	0.058038
Iran	Rial	N/A
Ireland	Pound	1.572000
Italy	Lira	0.000797
Japan	Yen	0.006293
Malaysia	Dollar	0.365898
Mexico	Peso	N/A
Netherlands	Guilder	0.520996
New Zealand	Dollar	0.577800
Norway	Krone	0.151469
Philippines	Peso	N/A
Portugal	Escudo	0.006641
Republic of South Africa	Rand	0.374462
Singapore	Dollar	0.530223
Spain	Peseta	0.009162
Sri Lanka	Rupee	0.024989
Sweden	Krona	0.162417

FOREIGN CURRENCIES—Quarterly rates of exchange: April 1 through June 30, 1990 (continued):

Country	Name of currency	U.S. dollars
Switzerland.....	Franc	\$0.663350
Thailand	Baht (tical).....	0.038358
United Kingdom	Pound	1.631500
Venezuela	Bolivar	N/A

(LIQ-03-01 S:NISD CIE)

Dated: April 19, 1990.

ANGELA DeGAETANO,
Chief,
Customs Information Exchange.

19 CFR Parts 141, 162, 171 and 178

(T.D. 90-34)

**TECHNICAL CORRECTIONS TO THE CUSTOMS
REGULATIONS**

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: In accordance with Customs policy of periodically reviewing its regulations to ensure that they are current, this document makes certain changes which are necessary. This document corrects certain printing errors that appear in the regulations, removes a cross reference to a section that no longer exists and sets forth in Part 178 the OMB-assigned control numbers of two previously approved regulations which require information collections. The changes are nonsubstantive.

EFFECTIVE DATE: April 26, 1990.

FOR FURTHER INFORMATION CONTACT: Harold M. Singer, Regulations and Disclosure Law Branch (202-566-8237).

SUPPLEMENTARY INFORMATION:

BACKGROUND

As part of a continuing program to keep its regulations current and accurate, Customs has determined that certain changes are necessary to the regulations. This document corrects four printing errors, removes a cross reference to a section that no longer exists, and sets forth in Part 178, Customs Regulations (19 CFR Part 178),

the OMB-assigned control numbers of two previously approved Customs Regulations that involve information collections.

DISCUSSION OF CHANGES

1. There is a printing error that currently appears in § 141.69(b), Customs Regulations (19 CFR 141.69(b)). A block of words inadvertently is printed where it does not belong. This document sets forth the paragraph excluding the extraneous language.

2. Section 162.70(b)(1), Customs Regulations (19 CFR 162.70(b)(1)), contains a reference to § 153.46, Customs Regulations. Part 153 was removed from the Customs Regulations by Treasury Decision 80-271 in 1980. This document deletes the reference in § 162.70(b)(1) to § 153.46. Sections 162.5 and 162.7, Customs Regulations (19 CFR §§ 162.5, 162.7) are amended to correct printing errors.

3. The authority citation of Part 171, Customs Regulations (19 CFR Part 171), was misprinted in Treasury Decision 89-86 which appeared in the Federal Register (54 FR 37600), on September 11, 1989, so that the letter "d" appears before the authority for Subpart F. This document revises the authority citation by removing the extraneous letter "d" and converting the Public Law 100-690 citation for support F to the statutory citation, 21 U.S.C. 881 note.

4. Part 178 is being amended to indicate the OMB-assigned control number for the information collections contained in two rules recently implemented by Customs—the rule regarding statement processing and Automated Clearinghouse (Treasury Decision 89-104) and the rule regarding inconsistent Customs decisions (Treasury Decision 89-74).

The section of the regulations that sets out the procedure for statement processing and Automated Clearinghouse is § 24.25. This was published in the Federal Register (54 FR 50493) on December 7, 1989 and was assigned OMB control number 1515-0167.

Section 177.12, Customs Regulations (19 CFR 177.12), the rule regarding the procedure for challenging an alleged inconsistent decision, was published in the Federal Register (54 FR 31511) on July 31, 1989, and was assigned control number 1515-0103.

INAPPLICABILITY OF PUBLIC NOTICE AND DELAYED EFFECTIVE DATE PROVISIONS

Inasmuch as these amendments merely correct certain typographical and printing errors that appear in the regulations and otherwise conform the Customs Regulations to existing law or practice, pursuant to 5 U.S.C. 553(a)(2) and (b)(3)(B), notice and public procedure are unnecessary, and pursuant to 5 U.S.C. 553(a)(2) and (d)(3), a delayed effective date is not required.

EXECUTIVE ORDER 12291

Because this document relates to agency management, it is not subject to E.O. 12291.

REGULATORY FLEXIBILITY ACT

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), do not apply.

DRAFTING INFORMATION

The principal author of this document was Harold M. Singer, Regulations and Disclosure Law Branch, U.S. Customs Service. However, personnel from other offices participated in its development.

LIST OF SUBJECTS

19 CFR Part 141

Customs duties and inspection, Entry, Imports.

19 CFR Parts 162 and 171

Administrative practice and procedure, Customs duties and inspection, Imports, Law Enforcement, Penalties, Seizures and forfeitures.

19 CFR Part 178

Reporting and recordkeeping requirements, Paperwork requirements, Collections of information.

AMENDMENTS TO THE REGULATIONS

Parts 141, 162, 171 and 178 of the Customs Regulations (19 CFR Parts 141, 162, 171 and 178) are amended as set forth below:

PART 141—ENTRY OF MERCHANDISE

1. The general authority for Part 141 and specific authority for § 141.69 continue to read as follows:

Authority: 19 U.S.C. 66, 1448, 1484, 1624.

* * * * *

§ 141.69 also issued under 19 U.S.C. 1315;

* * * * *

2. Section 141.69(b), Customs Regulations, is amended by deleting certain extraneous words, that appear as the result of a printing error, to read as follows:

§ 141.69 Applicable rates of duty.

* * * * *

(b) *Merchandise entered for immediate transportation.* Merchandise which is not subject to a quantitative or tariff-rate quota and which is covered by an entry for immediate transportation made at

the port of original importation, if entered for consumption at the port designated by the consignee or his agent in such transportation entry without having been taken into custody by the district director for general order under section 490, Tariff Act of 1930, as amended (19 U.S.C. 1490), shall be subject to the rates in effect when the immediate transportation entry was accepted at the port of original importation.

* * * * *

PART 162—RECORDKEEPING, INSPECTION, SEARCH, AND SEIZURE

1. The general authority citation for Part 162 and the specific authority citations for §§ 162.5 and 162.7 continue to read as follows:

Authority: 5 U.S.C. 301, 19 U.S.C. 66, 1624; * * *

§ 162.5 also issued under 19 U.S.C. 1581, 49 U.S.C. App. 1509;
* * *

§ 162.7 also issued under 19 U.S.C. 482;

* * * * *

2. Section 162.5, Customs Regulations, is amended by removing the word "tehicle" and inserting in its place "vehicle".

3. Section 162.7, Customs Regulations, is amended by removing the word "truck" and inserting in its place "trunk".

4. Section 162.70(b)(1), Customs Regulations, is amended by removing the language "(see § 153.46 of this chapter)" after the word "proceedings".

PART 171—FINES, PENALTIES, AND FORFEITURES

1. The authority citation for Part 171 is revised to read as follows:

Authority: 19 U.S.C. 66, 1592, 1618, 1624. The provisions of subpart C also issued under 22 U.S.C. 401; 46 U.S.C. App. 320 unless otherwise noted. Subpart F also issued under 19 U.S.C. 1595a, 1605, 1614; 21 U.S.C. 881 note.

PART 178—APPROVAL OF INFORMATION COLLECTION REQUIREMENTS

1. The authority citation for Part 178 continues to read as follows:
Authority: 5 U.S.C. 301, 19 U.S.C. 1624, 44 U.S.C. 3501 *et seq.*

2. Section 178.2 is amended by inserting the following in the appropriate numerical sequence according to the section number under the column indicated:

§ 178.2 Listing of OMB control numbers.

19 CFR Section	Description	OMB Control No.
§ 24.25	Statement processing and Automated Clearinghouse.	1515-0167
§ 177.12	Inconsistent Customs decisions.	1515-0103

CAROL HALLETT,
Commissioner of Customs.

Approved: April 4, 1990.

JOHN P. SIMPSON,
Acting Assistant Secretary of the Treasury.

[Published in the Federal Register, April 26, 1990 (55 FR 17596)]

(T.D. 90-35)

**APPROVAL OF INTERCOASTAL INSPECTION COMPANY AS A
COMMERCIAL GAUGER**

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Notice of Customs approval of Intercoastal Inspection Company as a commercial gauger.

SUMMARY: Intercoastal Inspection Company of Corpus Christi, Texas recently applied to Customs for approval to gauge imported petroleum, petroleum products, organic chemicals in bulk and in liquid form, and vegetable and animal oils under Part 151.13 of the Customs Regulations (19 CFR 151.13). Customs has determined that Intercoastal Inspection Company meets all of the requirements for approval as a commercial gauger.

Therefore, in accordance with Part 151.13(f) of the Customs Regulations, Intercoastal Inspection Company, 4506 Corona St., Corpus Christi, Texas 78411, is approved to gauge the products named above in all Customs districts.

EFFECTIVE DATE: April 24, 1990.

FOR FURTHER INFORMATION CONTACT: Donald A. Cousins, Office of Laboratories and Scientific Services, U.S. Customs Service, 1301 Constitution Ave. NW, Washington, D.C. 20229 (202-566-2446).

Dated: April 20, 1990.

JOHN B. O'LOUGHLIN,
Director,
Office of Laboratories and Scientific Services.

[Published in the Federal Register, April 26, 1990 (55 FR 17711)]

19 CFR Part 191

(T.D. 90-36)

CONFORMING AMENDMENT TO CUSTOMS REGULATIONS
RELATING TO DRAWBACK OF COUNTERVAILING AND
ANTIDUMPING DUTIES

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations to conform with section 1334 of the Omnibus Trade and Competitiveness Act of 1988 (Pub. L. 100-418; August 23, 1988) (the OTCA) under which countervailing and antidumping duties will no longer be treated as regular customs duties subject to drawback. Accordingly, the Customs Regulations are revised to eliminate countervailing and antidumping duties from the specific enumeration of duties subject to drawback. Pursuant to section 1337 of the OTCA, the amendment eliminates drawback of countervailing and antidumping duties on articles entered, or withdrawn from warehouse, for consumption on or after August 23, 1988, which is the date of enactment of the OTCA.

EFFECTIVE DATE: April 26, 1990.

FOR FURTHER INFORMATION CONTACT: William G. Rosoff,
Entry Rulings Branch, (202-566-5856).

SUPPLEMENTARY INFORMATION:

BACKGROUND

Drawback is a refund or remission, in whole or in part, of a Customs duty, internal revenue tax, or fee lawfully assessed or collected, which results from a particular use made of the merchandise on which the duty, tax or fee was assessed or collected.

Part 191, Customs Regulations (19 CFR Part 191) sets forth the general provisions applicable to all drawback claims and specialized provisions applicable to specific types of drawback claims.

Drawback is payable with respect to regular Customs duties. To this end, the list of duties eligible for drawback in section 191.3(b) and (c), Customs Regulations (19 CFR 191.3(b) and (c)), includes dumping duties assessed under title VII, Tariff Act of 1930, as amended, 19 U.S.C. 1673, and countervailing duties assessed under sections 303 and 701, Tariff Act of 1930, as amended, 19 U.S.C. 1303, 1671.

In brief, antidumping duties are imposed on foreign merchandise that is, or is likely to be, sold in the United States at less than its fair value; and countervailing duties apply to imported merchandise, where foreign governments have bestowed bounties or grants upon its exportation. In both instances, these duties are only imported if the imports are injuring a domestic industry.

The right to drawback of such duties was specifically provided for in section 779 of the Tariff Act of 1930, as amended, 19 U.S.C. 1677h (Pub. L. 98-573; October 30, 1984).

However, section 1334 of the Omnibus Trade and Competitiveness Act of 1988 (Pub. L. 100-418; August 23, 1988) (the OTCA) amended 19 U.S.C. 1677h to provide that such assessments, for purposes of drawback, "shall not be treated as being regular Customs duties." In accordance with section 1337(d) of the OTCA, this amendment applies to articles entered, or withdrawn from warehouse, for consumption, on or after the date of enactment of the OTCA (August 23, 1988).

Accordingly, pursuant to this statutory provision, the Customs Regulations, Part 191, are being amended to remove the reference to countervailing and antidumping duties as being regular Customs duties subject to drawback.

INAPPLICABILITY OF PUBLIC NOTICE AND DELAYED EFFECTIVE DATE PROVISIONS

Inasmuch as the amendment merely conforms the Customs Regulations to existing statutory law, notice and public procedure in this regard are unnecessary under 5 U.S.C. 553(b)(B) and, for the same reason, under 5 U.S.C. 553(d)(3), a delayed effective date is not required.

EXECUTIVE ORDER 12291

Because this document will not result in a "major rule" as defined in E.O. 12291, Customs has not prepared a regulatory impact analysis.

INAPPLICABILITY OF REGULATORY FLEXIBILITY ACT

This document is not subject to the regulatory analysis or other requirements of the Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*). That Act does not apply to any regulation, such as this, for which a notice of proposed rulemaking is not required by the Administrative Procedure Act (5 U.S.C. 551, *et seq.*) or any other statute.

DRAFTING INFORMATION

The principal author of this document was Russell Berger, Regulations and Disclosure Law Branch, U.S. Customs Service. However, personnel from other offices participated in its development.

LIST OF SUBJECTS

19 CFR Part 191

Customs duties and inspection, exports, imports, claims, drawback.

AMENDMENT TO THE REGULATIONS

Part 191, Customs Regulations (19 CFR 191) is amended as set forth below.

PART 191—DRAWBACK

1. The authority citation for Part 191 continues to read as follows:

Authority: 5 U.S.C. 301, 19 U.S.C. 66, 1202 (General Note 8, Harmonized Tariff Schedule of the United States), 1313, 1624.

§ 191.7 also issued under 19 U.S.C. 1514;

§ 191.8 also issued under 19 U.S.C. 1557;

§ § 191.131(a), 191.133, 191.137, 191.139 also issued under 19 U.S.C. 1557;

§ § 191.162–191.166 also issued under 19 U.S.C. 81c.

2. Section 191.3, Customs Regulations, is amended by removing paragraphs (b) and (c) therefrom, and by redesignating paragraph (d) as (b).

MICHAEL H. LANE,

Acting Commissioner of Customs.

Approved: April 5, 1990.

JOHN P. SIMPSON,

Acting Assistant Secretary for Enforcement.

[Published in the Federal Register, April 26, 1990 (55 FR 17597)]

U.S. Customs Service

Customs Service Decisions

DEPARTMENT OF THE TREASURY,
OFFICE OF THE COMMISSIONER OF CUSTOMS,
Washington, D.C., April 24, 1990.

The following are abstracts of unpublished rulings recently issued by the U.S. Customs Service. The abstracts are set forth to provide interested parties with general information regarding the types of issues currently being addressed by the U.S. Customs Service. By their inclusion herein, the rulings abstracted shall not be considered "published in the Customs Bulletin," within the meaning of section 177.10 of the Customs Regulations (19 CFR 177.10), nor do such abstracts establish a uniform practice.

HARVEY B. FOX,
Director,
Office of Regulations and Rulings.

(C.S.D. 90-54)

Abstracts of Unpublished Customs Service Decisions

COMMODITY CLASSIFICATION

C.S.D. 90-54(1)—*Commodity*: Action figures. The merchandise consists of over 375 plastic figures of sports personalities representing basketball, football, and baseball players. The figures are clad in appropriate team uniforms (which are part of the molded plastic). *Classification*: The action figures are classifiable under subheading 9502.10.4000, HTSUSA, the provision for dolls, not over 33 cm. in height. *Document*: HQ 082001, dated February 13, 1990.

C.S.D. 90-54(2)—*Commodity*: Coveralls. Two types of nonwoven disposable coveralls made of Tyvek fabric, and designed for use in hospitals, clinics, laboratories or contaminated areas. *Classification*: The coveralls are classifiable in subheading 6210.10.4010, HTSUSA, as nonwoven disposable apparel designed for use in hospitals, clinics, laboratories or contaminated areas. *Document*: HQ 085419, dated January 26, 1990.

C.S.D. 90-54(3)—*Commodity*: Diving gloves. The gloves are constructed of a foamed rubber which has been vulcanized and blown. The rubber has been laminated on both sides with a knit man-made fabric. *Classification*: The diving gloves are classified in subheading 6116.10.3540, HTSUSA, as gloves, mittens and mitts, knitted or crocheted, gloves, mittens and mitts impregnated, coated or covered with plastics or rubber, other, without fourchettes, other, other. HRL 082324, dated August 22, 1989 is modified. *Document*: HQ 085807, dated January 29, 1990.

C.S.D. 90-54(4)—*Commodity*: Golf tees. U.S. components consisting of golf tees, pieces of paper printed with jokes, glue, and plastic boxes are exported to Mexico for foreign operations. These operations involve gluing the golf tees to one edge of the papers, wrapping the golf tees in the printed papers, gluing the papers so that they will not unravel and placing the golf tees into the plastic boxes. *Classification*: The operations performed in Mexico advance in value and improve in condition the exported components. The golf tees will not qualify for the duty exemption under HTSUSA subheading 9801.00.10. Allowances in duty may be made under HTSUSA subheading 9802.00.80 for the cost or value of the U.S. tees and printed jokes when the assembled articles are returned to the U.S. upon compliance with the applicable Customs Regulations (19 CFR 10.11-10.24). The U.S. packaging materials, including the plastic boxes, are entitled to free entry under subheading 9801.00.10, HTSUSA. *Document*: HQ 555509, dated January 29, 1990.

C.S.D. 90-54(5)—*Commodity*: Kitchen set. The set consists of five wooden utensils, a metal whisk, a stoneware spoon rest, stoneware salt and pepper shakers, and a stoneware cylindrical container designed to hold the utensils. *Classification*: The kitchen set is classified under subheading 6912.00.3950, HTSUSA. NYRL 840871 of June 1, 1989 is modified. *Document*: HQ 085126, dated February 14, 1990.

C.S.D. 90-54(6)—*Commodity*: Rice product. The ingredients of the rice product are exported to Canada for further processing. This processing involves combining the ingredients into separate pouches (long grain and white and wild rice in one pouch and vegetables and seasonings in the other) and packaging. *Classification*: The foreign operations performed in Canada advance in value and improve in condition the exported U.S. ingredients. The rice product will not qualify for the duty exemption under HTSUSA subheading 9801.00.10. *Document*: HQ 555519, dated March 12, 1990.

C.S.D. 90-54(7)—*Commodity*: Shoe covers. Three types of disposable shoe covers. Style 4668 consists of a material that has two plies of tissue paper internally reinforced with nylon. Style 4870 is made

from spunbonded polypropylene fibers. Style 4811 is made from a two layer material called Assure, which is a layer of tissue paper made entirely of wood pulp, laminated to a layer of wood pulp combined with a polyester fiber fabric. *Classification:* Style 4668 is classifiable under the provision for other articles of paper, in subheading 4823.90.8500, HTSUSA. Style 4870 is classifiable under the provision for other made up textile articles, in subheading 6307.90.9050, HTSUSA. Style 4811 is classifiable under the provision for other made up textile articles, in subheading 6307.90.9050, HTSUSA. *Document:* HQ 081945, dated January 29, 1990.

C.S.D. 90-54(8)—*Commodity:* Spring assemblies for use in automotive seat belt retractor systems. The spring component of the spring assembly is manufactured in the U.S. from strip steel of U.S. origin and European Community (EC) origin. The springs are exported to Mexico where they are assembled using two alternative processes. One process involves the assembly of the spring into a plastic spring housing which is of U.S. origin. The spring is then lubricated. The other process involves the assembly of the spring into a temporary wire retainer. This retainer, imported from West Germany, is a round piece of wire enclosed by twisting the ends. The temporary retainer is used to hold the wound-up spring until the spring is transferred permanently into another retainer. *Classification:* The imported spring assemblies may be entered under subheading 9802.00.80, HTSUSA, with allowances in duty for the cost or value of the springs and the plastic spring housings, which are the U.S. components incorporated therein. No allowances may be made under subheading 9802.00.80, HTSUSA, for the cost or value of the wire retainer of West German origin. *Document:* HQ 555484, dated March 8, 1990.

C.S.D. 90-54(9)—*Commodity:* Suit, woman's. The article consists of an upper body garment and a skirt, each made of 95 percent rayon and 5 percent silk woven fabric, with a woven lining, assumed to be manmade. The upper body garment has a full front opening secured by four buttons, a lapel collar, short sleeves, and a fitted waist. It is also has a placket which creates the effect of a breast pocket with a small rectangular handkerchief in contrasting fabric pinned to it. The skirt has a rear zipper closure with a hook and eye. *Classification:* The jacket, handkerchief and skirt are classified under subheading 6204.19.2000, HTSUSA, as women's or girls' suits, of other textile materials, of artificial fibers, other. *Document:* HQ 086009, dated February 7, 1990.

C.S.D. 90-54(10)—*Commodity:* Water treatment equipment. The equipment is rented to U.S. customers by a company located in Canada. The water treatment equipment consists of two sets of

eight filtering canisters (one made of steel and seven made of fiberglass), which contain anion exchange resin. One set of canisters is held in reserve until the resin in the on-line set requires cleaning, then the reserve canisters are placed on-line and the canisters containing the dirty resin are sent to Canada for a cleaning operation. In Canada, the dirty resin will be removed, cleaned and reinstalled in the canisters which are then returned to the U.S. *Classification:* The water treatment equipment will be eligible for the partial duty exemption under HTSUSA subheading 9802.00.50, when returned to the U.S. upon compliance with the documentary requirements of 19 CFR 10.8. *Document:* HQ 555320, dated February 20, 1990.

U.S. Customs Service

General Notice

FOREIGN CURRENCIES

CONTROLLED MARKET RATE FOR THE MEXICAN PESO FOR 1985

The following rates of exchange are based upon rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York, pursuant to 31 U.S.C. 5151. The rates listed are the 1985 controlled market rate for the Mexican peso, established by the Mexican Government. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following rates:

Date	Mexican Peso rate	Date	Mexican Peso rate
January 1, 1985	Holiday	February 6, 1985	\$.005026
January 2, 1985	\$.005181	February 7, 1985	.005022
January 3, 1985	.005177	February 8, 1985	.005018
January 4, 1985	.005172	February 11, 1985	N/A
January 7, 1985	.005159	February 12, 1985	Holiday
January 8, 1985	.005154	February 13, 1985	N/A
January 9, 1985	.005150	February 14, 1985	.004992
January 10, 1985	N/A	February 15, 1985	.004988
January 11, 1985	.005141	February 18, 1985	Holiday
January 14, 1985	.005141	February 19, 1985	.004971
January 15, 1985	.005123	February 20, 1985	.004965
January 16, 1985	.005118	February 21, 1985	.004963
January 17, 1985	.005114	February 22, 1985	.004959
January 18, 1985	.005109	February 25, 1985	.004946
January 21, 1985	Holiday	February 26, 1985	.004942
January 22, 1985	.005092	February 27, 1985	.004938
January 23, 1985	.005087	February 28, 1985	.004934
January 24, 1985	.005083		
January 25, 1985	.005078	March 1, 1985	.004930
January 28, 1985	.005065	March 4, 1985	.004917
January 29, 1985	.005061	March 5, 1985	.004913
January 30, 1985	.005057	March 6, 1985	.004908
January 31, 1985	.005052	March 7, 1985	.004903
		March 8, 1985	.004898
February 1, 1985	.005048	March 11, 1985	.004883
February 4, 1985	.005035	March 12, 1985	.004878
February 5, 1985	.005031	March 13, 1985	.004873

FOREIGN CURRENCIES—Controlled market rate for the Mexican peso for 1985 (continued):

Date	Mexican Peso rate	Date	Mexican Peso rate
March 14, 1985	\$0.004868	May 27, 1985	Holiday
March 15, 1985	.004863	May 28, 1985	\$.004521
March 18, 1985	.004848	May 29, 1985	.004521
March 19, 1985	.004843	May 30, 1985	.004513
March 20, 1985	.004838	May 31, 1985	.004508
March 21, 1985	.004838		
March 22, 1985	.004828	June 3, 1985	.004496
March 25, 1985	.004828	June 4, 1985	.004496
March 26, 1985	.004809	June 5, 1985	.004496
March 27, 1985	.004804	June 6, 1985	.004483
March 28, 1985	.004799	June 7, 1985	.004496
March 29, 1985	.004794	June 10, 1985	.004496
		June 11, 1985	.004462
April 1, 1985	.004780	June 12, 1985	.004458
April 2, 1985	.004775	June 13, 1985	.004496
April 3, 1985	.004770	June 14, 1985	.004449
April 4, 1985	.004770	June 17, 1985	.004437
April 5, 1985	N/A	June 18, 1985	.004433
April 8, 1985	.004747	June 19, 1985	.004429
April 9, 1985	.004742	June 20, 1985	.004425
April 10, 1985	.004737	June 21, 1985	.004420
April 11, 1985	.004732	June 24, 1985	.004408
April 12, 1985	.004728	June 25, 1985	.004404
April 15, 1985	.004714	June 26, 1985	.004400
April 16, 1985	.004709	June 27, 1985	.004396
April 17, 1985	.004704	June 28, 1985	.004396
April 18, 1985	.004700		
April 19, 1985	.004695	July 1, 1985	.004380
April 22, 1985	.004681	July 2, 1985	.004376
April 23, 1985	.004677	July 3, 1985	.004372
April 24, 1985	.004672	July 4, 1985	Holiday
April 25, 1985	.004677	July 5, 1985	N/A
April 26, 1985	.004663	July 8, 1985	.004352
April 29, 1985	.004649	July 9, 1985	.004348
April 30, 1985	.004649	July 10, 1985	.004344
		July 11, 1985	.004340
May 1, 1985	.004649	July 12, 1985	.004336
May 2, 1985	N/A	July 15, 1985	.004324
May 3, 1985	.004631	July 16, 1985	.004320
May 6, 1985	.004618	July 17, 1985	.004316
May 7, 1985	.004613	July 18, 1985	.004312
May 8, 1985	.004609	July 19, 1985	.004308
May 9, 1985	.004604	July 22, 1985	.004297
May 10, 1985	.004600	July 23, 1985	.004293
May 13, 1985	N/A	July 24, 1985	.004289
May 14, 1985	.004582	July 25, 1985	.003574
May 15, 1985	.004578	July 26, 1985	.003571
May 16, 1985	.004573	July 29, 1985	.003563
May 17, 1985	.004569	July 30, 1985	.003560
May 20, 1985	.004556	July 31, 1985	.003558
May 21, 1985	.004556		
May 22, 1985	.004547	August 1, 1985	.003555
May 23, 1985	.004543	August 2, 1985	.003552
May 24, 1985	.004538	August 5, 1985	N/A

FOREIGN CURRENCIES—Controlled market rate for the Mexican peso
for 1985 (continued):

Date	Mexican Peso rate	Date	Mexican Peso rate
August 6, 1985	N/A	October 15, 1985	N/A
August 7, 1985	N/A	October 16, 1985	N/A
August 8, 1985	\$0.003527	October 17, 1985	N/A
August 9, 1985	.003522	October 18, 1985	N/A
August 12, 1985	.003512	October 21, 1985	\$0.003178
August 13, 1985	N/A	October 22, 1985	.003171
August 14, 1985	N/A	October 23, 1985	.003163
August 15, 1985	N/A	October 24, 1985	.003157
August 16, 1985	.003490	October 25, 1985	N/A
August 19, 1985	.003479	October 28, 1985	N/A
August 20, 1985	.003473	October 29, 1985	.003134
August 21, 1985	.003469	October 30, 1985	.003127
August 22, 1985	.003459	October 31, 1985	.003110
August 23, 1985	.003457		
August 26, 1985	N/A	November 1, 1985	.003110
August 27, 1985	.003451	November 4, 1985	.003095
August 28, 1985	.003427	November 5, 1985	.003089
August 29, 1985	.003434	November 6, 1985	.003081
August 30, 1985	.003422	November 7, 1985	.003072
		November 8, 1985	N/A
September 2, 1985	Holiday	November 11, 1985	N/A
September 3, 1985	.003405	November 12, 1985	N/A
September 4, 1985	.003412	November 13, 1985	N/A
September 5, 1985	.003386	November 14, 1985	.003035
September 6, 1985	.003394	November 15, 1985	N/A
September 9, 1985	.003370	November 18, 1985	.003018
September 10, 1985	.003381	November 19, 1985	N/A
September 11, 1985	.003422	November 20, 1985	N/A
September 12, 1985	.003366	November 21, 1985	.002997
September 13, 1985	.003356	November 22, 1985	.002983
September 16, 1985	.003338	November 25, 1985	.002973
September 17, 1985	.003346	November 26, 1985	.002962
September 18, 1985	.003336	November 27, 1985	.002962
September 19, 1985	N/A	November 28, 1985	N/A
September 20, 1985	N/A	November 29, 1985	.002931
September 23, 1985	N/A		
September 24, 1985	N/A	December 2, 1985	N/A
September 25, 1985	N/A	December 3, 1985	N/A
September 26, 1985	N/A	December 4, 1985	.002897
September 27, 1985	N/A	December 5, 1985	.002884
September 30, 1985	N/A	December 6, 1985	.002872
		December 9, 1985	.002859
October 1, 1985	N/A	December 10, 1985	.002830
October 2, 1985	N/A	December 11, 1985	.002830
October 3, 1985	N/A	December 12, 1985	N/A
October 4, 1985	N/A	December 13, 1985	.002815
October 7, 1985	N/A	December 16, 1985	.002803
October 8, 1985	N/A	December 17, 1985	N/A
October 9, 1985	N/A	December 18, 1985	N/A
October 10, 1985	N/A	December 19, 1985	.002765
October 11, 1985	N/A	December 20, 1985	.002753
October 14, 1985	Holiday	December 23, 1985	.002740

FOREIGN CURRENCIES—Controlled market rate for the Mexican peso for 1985 (continued):

Date	Mexican Peso rate	Date	Mexican Peso rate
December 24, 1985	\$0.002729	December 27, 1985	\$0.002705
December 25, 1985	Holiday	December 30, 1985002690
December 26, 1985002705	December 31, 1985	N/A

(LIQ-03-01 S:NISD CIE)

Dated: April 10, 1990.

ANGELA DeGAETANO,
Chief,
Customs Information Exchange.

U.S. Customs Service

Proposed Rulemaking

19 CFR Part 101

PROPOSED EXTENSION OF LAREDO, TEXAS PORT LIMITS

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes to amend the Customs Regulations to extend the boundaries of the Laredo, Texas, port of entry. This document announces the proposed change in the port limits and invites public comments on the appropriateness of the action.

DATE: Comments must be received on or before June 25, 1990.

ADDRESS: Written comments may be submitted to and inspected at the Regulations and Disclosure Law Branch, U.S. Customs Service, 1301 Constitution Avenue, N.W., Room 2119, Washington, D.C. 20229.

FOR FURTHER INFORMATION CONTACT: Linda Walfish, Office of Workforce Effectiveness and Development, Office of Inspection and Control (202) 566-9425.

SUPPLEMENTARY INFORMATION:

BACKGROUND

As part of a continuing program to obtain more efficient use of its personnel, facilities, and resources, and to provide better service to carriers, importers, and the public, Customs proposes to amend section 101.3, Customs Regulations (19 CFR 101.3), by extending the geographical limits of the port of entry of Laredo, Texas.

The proposed new boundary would encompass: the city of Laredo, the Laredo International Airport, the proposed international bridge between the U.S. and Columbia, Nuevo Leon, Mexico, and the proposed Union Pacific Railroad switching yard. This expansion of the port boundary would enable Customs to service the proposed points of entry without establishing separate port administrations.

The proposed revised boundary is as follows:

Beginning at the intersection of the extended road of Chapote-Mezas Road and the easterly water's edge of the Rio Grande River; then in a northeasterly direction along the projected extension of Chapote-Mezas Road to its intersection with F.M. 1472; then in a southeasterly direction to the intersection of Las Tiendas Road and San Juan Road; then in a northeasterly direction along San Juan Road to its intersection with U.S. Highway 83 and Webb Road; then in a southeasterly direction along Webb Road to its intersection with Interstate Highway 35; then in a southeasterly direction to San Ignacio Road at a point 17 miles northeast from the intersection of Interstate Highway 35 and San Ignacio Road; then in a southeasterly direction to the intersection of State Highway 359 and Rubio; then in a southwesterly direction to Mangana-Hein Road at the point in tract 1, portion 42 of Webb County, Texas where the road begins a westerly direction; then in a westerly direction along Mangana-Hein Road to its intersection with U.S. Highway 83; then proceeding in a westerly direction along a projected extension of Mangana-Hein Road to its intersection with the easterly water's edge of the Rio Grande River; then in a northwesterly direction along the meanders of the Rio Grande River to its intersection with the projected extension of Chapote-Mezas Road and POINT-OF-BEGINNING.

COMMENTS

Prior to adoption of this proposal, consideration will be given to written comments timely submitted to Customs. Submitted comments will be available for public inspection in accordance with the Freedom of Information Act (5 U.S.C. 552), section 1.4, Treasury Department Regulations (31 CFR 1.4), and section 103.11(b), Customs Regulations (19 CFR 103.11(b)), on regular business days between the hours of 9:00 a.m. and 4:30 p.m., at the Regulations and Disclosure Law Branch, Room 2119, U.S. Customs Service Headquarters, 1301 Constitution Avenue, NW, Washington, D.C. 20229.

AUTHORITY

The Secretary of the Treasury is advised by the Commissioner of Customs on matters affecting the establishment, abolishment, or change in ports of entry. Customs ports of entry are established under the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623, as amended (19 U.S.C. § 2), and delegated to the Secretary of the Treasury by E.O. No. 10289, September 17, 1951 (3 CFR 1949-1953 Comp., Ch.II), and pursuant to authority provided by Treasury Department Order No. 101-5, February 17, 1987 (52 FR 6282).

REGULATORY FLEXIBILITY ACT

The provisions of the Regulatory Flexibility Act relating to an initial and final regulatory flexibility analysis (5 U.S.C. §§ 603, 604) are not applicable to this document. Customs routinely establishes, expands, and consolidates Customs ports of entry throughout the U.S. to accommodate the volume of Customs related activity throughout the country.

Although this change may have a limited effect on small entities in the Laredo, Texas area, such effect is not expected to be significant because the extension of the limits of Customs ports of entry in other locations has not had a significant economic impact on a substantial number of small entities to the extent contemplated by the Regulatory Flexibility Act. This proposed amendment is certified under the provisions of section 3 of the Regulatory Flexibility Act (5 U.S.C. § 605(b)) not to have a significant economic impact on a substantial number of small entities.

EXECUTIVE ORDER 12291

Because the proposed amendment relates to the Customs field organization, it is not subject to E.O. 12291. Accordingly, a regulatory impact analysis and review as prescribed by E.O. 12291 are not required.

DRAFTING INFORMATION

The principal author of this document was Michael Smith, Regulations and Disclosure Law Branch, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices participated in its development.

LIST OF SUBJECTS IN 19 CFR PART 101

Customs duties and inspection, Organization and functions (Government agencies).

PROPOSED AMENDMENT TO THE REGULATIONS

It is proposed to amend Part 101, Customs Regulations (19 CFR Part 101) as set forth below:

PART 101—GENERAL PROVISIONS

1. The authority citation for Part 101, Customs Regulations (19 CFR Part 101), would continue to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 1, 66, 1202 (Gen. Hdnote 11), 1624, Reorganization Plan 1 of 1965; 3 CFR 1965 Supp.

§ 101.3 [Proposed amendment]

2. It is proposed to amend section 101.3(b), Customs Regulations (19 CFR 101.3 (b)), by removing the period after "LAREDO" in the column headed "Ports of Entry" in the Laredo, Texas, Customs Dis-

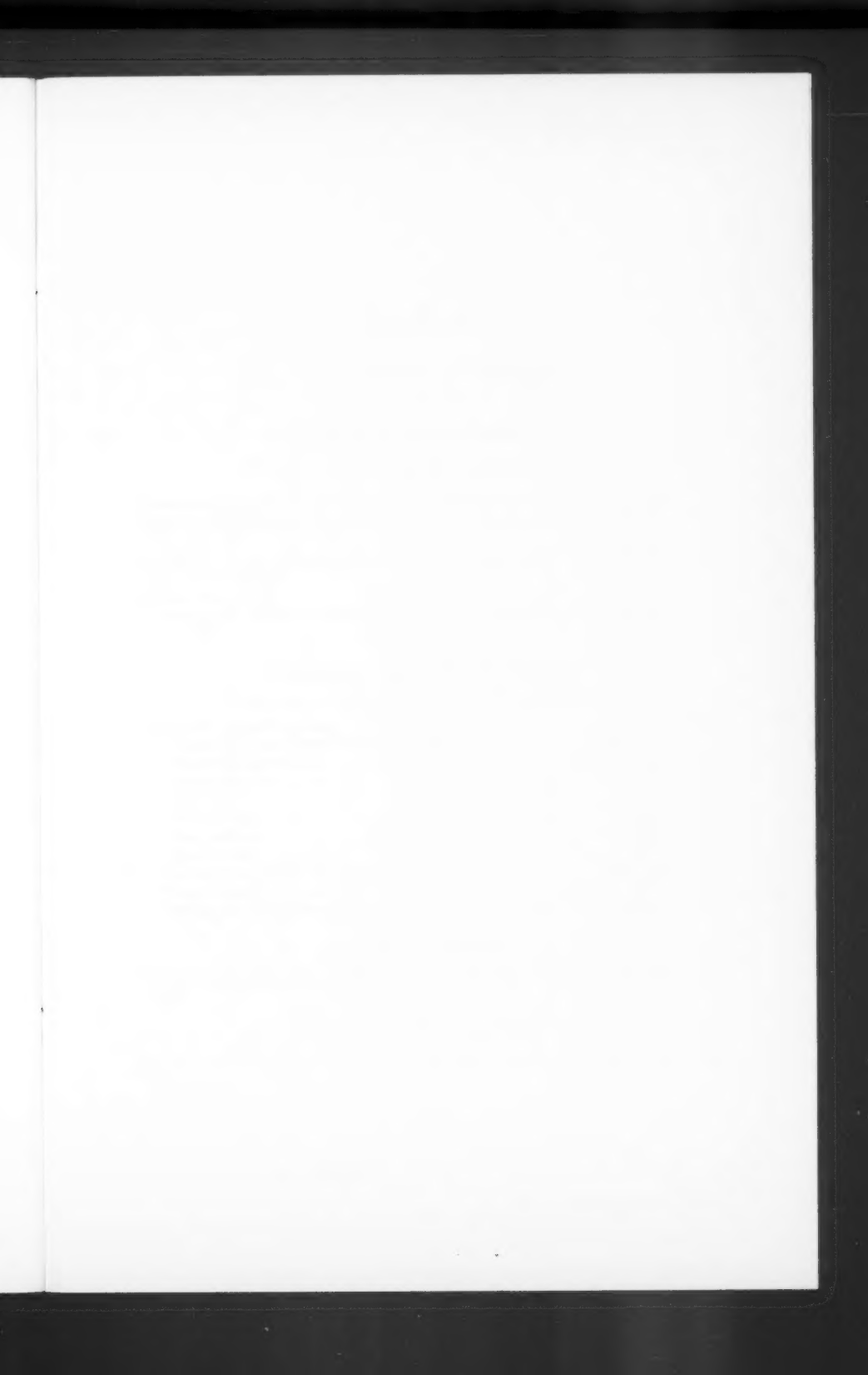
trict of the Southwest Region and inserting, in its place, the phrase, "including the territory described in T.D. 90-_____".

CAROL HALLETT,
Commissioner of Customs.

Approved: April 11, 1990.

JOHN P. SIMPSON,
Acting Assistant Secretary of the Treasury.

[Published in the Federal Register, April 26, 1990 (55 FR 17633)]



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